

Message Text

UNCLASSIFIED

PAGE 01 TAIPEI 04969 310816Z
ACTION EB-08

INFO OCT-01 EA-12 ISO-00 L-03 CTME-00 CIAE-00 COME-00
DODE-00 DOTE-00 FMC-02 INR-10 NSAE-00 CG-00
DLOS-09 OES-09 STR-07 /061 W
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R 310813Z JUL 78
FM AMEMBASSY TAIPEI
TO SECSTATE WASHDC 8350

UNCLAS TAIPEI 04969

E.O. 11652: N/A
TAGS: EWWT, ETRD, TW
SUBJECT: CUSTOMS RULING ON CARGO CLEARANCE

REFS: (A) TAIPEI 2806, (B) STATE 190808

1. WE INTERPRET THE NONRUBBER FOOTWEAR ORDERLY MARKETING AGREEMENT TO PROVIDE FOR A FIVE (5) PERCENT CARRYOVER TO THE NEXT ANNUAL RESTRAINT PERIOD, IN THE EVENT OF A SHORT-FALL DURING A RESTRAINT PERIOD (REFTEL (A) PARA 4(A)). PARA 4(C) PROVIDES ALSO THAT THE RESTRAINT LEVELS FOR ANY ONE PERIOD MAY BE EXCEEDED BY SIX (6) PERCENT, BUT "ANY RESTRAINT LEVEL THAT IS EXCEEDED IN ONE RESTRAINT PERIOD WILL BE REDUCED FOR THE SUBSEQUENT PERIOD BY THE AMOUNT BY WHICH IT WAS EXCEEDED." IT THEREFORE APPEARS TO US THAT ANY CARRYOVER FROM THE OMA RESTRAINT PERIOD ENDING JUNE 30, 1978, CANNOT EXCEED 5 PERCENT WITHOUT REDUCING OMA QUOTAS FOR A SUBSEQUENT RESTRAINT PERIOD. POST WOULD APPRECIATE CLARIFICATION OF THIS PROVISION.

2. IN ANY EVENT, WE ARE INFORMING THE GROC, SEA-LAND, AND OTHERS OF THE POSSIBILITY THAT THE CARRYOVER PROVISION OF THE OMA CAN BE UTILIZED TO SOLVE THIS PROBLEM, AT NO COST TO ROC EXPORTERS. SEA-LAND REPRESENTATIVE TOLD EMBASSY
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THAT TOTAL EXPORTS UNDER OMA FOR RESTRAINT PERIOD ENDING JUNE 30, 1978, WOULD NOT BE KNOWN UNTIL SEPTEMBER, AFTER CARGO LOADED IN ROC IN JUNE CLEARED U.S. CUSTOMS. UNGER

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NNN

Message Attributes

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